

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 30683 of 2006(Y)

PETITIONERS:

1. BABU, S/O. CHACKO,
AGED 58 YEARS, PALATHINGAL HOUSE, CHUTTUPADU KARA,
EDAPPALLY NORTH VILLAGE, EDAPPALLY POST,
ERNAKULAM DISTRICT.
2. JAIMON JOSEPH, S/O. KUNNAKKAT JOSEPH,
PANIKKANKUDI KARA, PONNATHADI VILLAGE,
IDUKKI DISTRICT.

BY ADV. SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI

RESPONDENTS:

1. DOMINIC, S/O. CHACKOCHAN,
MYLETTU VEEDU, KALLELIMEDU KARA,
KUTTAMPUZHA VILLAGE.
2. SUPERINTENDENT OF POLICE (RURAL),ALUVA.
3. DEPUTY SUPERINTENDENT OF POLICE,
MUVATTUPUZHA.
4. CIRCLE INSPECTOR OF POLICE,
KOTHAMANGALAM.
5. SUB INSPECTOR OF POLICE, KUTTAMPUZHA.
6. STATE OF KERALA,
REP. BY SECRETARY, HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

R2 TO R6 BY ADV. SRI. MATHEW G. VADAKKEL, SR. GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21/11/2006,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.30683 OF 2006

Dated 21st November, 2006

JUDGMENT

Koshy, J.

According to the petitioners, Ext.P1 agreement is violated by the first respondent. Whether the agreement is valid, whether first respondent has violated the agreement and due to violation of the agreement what are the consequences etc. can be decided only by a civil court. In any way, for enforcement of an agreement no writ petition will lie under Article 226 of the Constitution of India. Therefore, without prejudice to the remedies of the petitioners elsewhere, this writ petition is dismissed.

**J.B.KOSHY
JUDGE**

**K.PADMANABHAN NAIR
JUDGE**

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